

CITY OF PLEASANTON



AUG 07 2008  
CITY ATTORNEY

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August 5, 2008

VIA E-MAIL AND U.S. MAIL

Michael Roush  
City Attorney  
Pleasanton City Attorney's Office  
123 Main Street  
Pleasanton, CA 94566

Re: Oak Grove Development Agreement

Dear Michael:

Thank you for your letter of July 30, 2008, regarding the Oak Grove Development Agreement. I am enclosing a signed copy of the acknowledgment you requested with two minor modifications (i.e., asking for delivery of the document as we discussed, and clarifying that Ordinance 1962 remains effective until Ordinance 1961 is set aside). I trust this will be sufficient to put the issue behind us.

I believe you have two executable originals of the agreement. I would request that you accomplish delivery by the end of this week, as I do not believe we can avoid filing a protective writ soon without actually having the signed document in hand.

Please call immediately if you have any questions.

Sincerely,

R. Clark Morrison

cc: Martin W. Inderbitzen, Esq.

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ACKNOWLEDGMENT

We have read the letter from Michael Roush, Pleasanton City Attorney, to R. Clark Morrison, dated July 30, 2008, and agree that if the Pleasanton City Manager signs and delivers the Development Agreement as approved by City of Pleasanton Ordinance No. 1962, but if City of Pleasanton Ordinance No. 1961 is set aside through the referendum process, Ordinance No. 1962 shall cease to be of force and effect and we will claim no vested rights under City of Pleasanton Ordinance No. 1962 or the Development Agreement approved by that Ordinance.

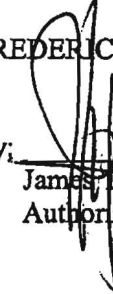
JENNIFER LIN

Dated: 8-5-08

By:   
James Tong  
Authorized Representative

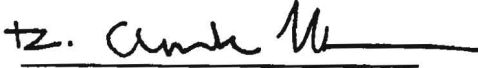
FREDERIC LIN

Dated: 8-5-08

By:   
James Tong  
Authorized Representative

Approved as to Form:

Dated: 8-5-08

  
R. Clark Morrison  
Attorney for Jennifer and Frederic Lin